

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CALVIN C. MONTGOMERY,**

**Defendant.**

**No. 06-cr-30071-DRH**

**ORDER**

**HERNDON, Chief Judge:**

On November 19, 2007, the Court held oral argument on Montgomery's motion to dismiss (Doc. 44). Based on the reasons stated on the record, the Court

**DENIES** Montgomery's motion to dismiss.

**IT IS SO ORDERED.**

Signed this 20th day of November, 2007.

/s/ DavidRHerndon  
Chief Judge  
United States District Court